1 **BUCHALTER NEMER** A Professional Corporation DENISE H. FIELD (SBN: 111532) 2 MIA S. BLACKLER (SBN: 188112) CASSANDRA T. HOLMAN (SBN: 202956) 3 333 Market Street, 25th Floor San Francisco, CA 94105-2126 4 FILED Telephone: (415) 227-0900 5 Facsimile: (415) 227-0770 Email: dfield@buchalter.com 6 APR 2 7 2007 Attorneys for Plaintiff 7 PHOENIX FUEL CORPORATION, a Wyoming corporation 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 (SAN JOSE) 11 CASE NO. C-06-06104 RMW PHOENIX FUEL CORPORATION, a 12 Wyoming corporation, 13 JOINT STIPULATION AND [PROPOSED] Plaintiff, ORDER TO CONTINUE HEARING DATE 14 ON DEFENDANTS' MOTION TO VS. DISMISS FOR LACK OF JURISTICTION 15 AND IMPROPER VENUE OR TO SUNWORLD INTERNATIONAL AIRLINES, INC., EDWARD C.C. TRANSFER TO U.S.D.C. SOUTHERN 16 DISTRICT OF NEW YORK PEAGRAM, and DOES 1 through 50, 17 inclusive, BY FAX Defendant. 18 Date: May 4, 2007 Time: 9:00 a.m. 19 Hon. Ronald M. Whyte Before: 280 S. 1st Street Address: 20 San Jose, CA 95113 21 IT IS HEREBY STIPULATED by and among Plaintiff Phoenix Fuel Corporation 22 ("Phoenix Fuel"), and Defendants Sunworld International Airlines, Inc. and Edward C.C. 23 Peagram (collectively, "Defendants"), through their respective counsel, that the hearing on 24 Defendants' Motion to Dismiss for Lack of Jurisdiction and Improper Venue or to Transfer To 25 U.S.D.C. Southern District of New York shall be continued to May 25, 2007, the opposition of 26 Phoenix Fuel shall be continued and shall be due on or before May 4, 2007, and Defendants' 27 reply shall be continued and shall be due on or before May 11, 2007. The reason for this 28

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JOINT STIP. AND PROTOSED ORDER TO CONTINUE HEARING ON DEFS. MOT. TO DISMISS

Case No. C-06-06104 RMW

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10		Attorneys for Plaintiff PHOENIX FUEL CORPORATION, a			
10		Wyoming corporation			
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15	,	By:STEPHEN R. SUGRUE			
16	ł	Attorneys for Defendants SUNWORLD INTERNATIONAL			
17		AIRLINES, INC. and EDWARD C.C. PEAGRAM			
18		(Application for Admission Pro Hac Vice Pending)			
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		JOSEPH EATON, ESQ.			
21		Designated Co-Counsel for Defendants SUNWORLD INTERNATIONAL			
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